

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Valentina Concha-Toro	Team: Squad #15	CCRB Case #: 202004385	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 05/30/2020 3:30 PM	Location of Incident: Park Avenue and East 82nd Street	Precinct: 19	18 Mo. SOL 11/30/2021	EO SOL 5/4/2022	
Date/Time CV Reported Mon, 06/01/2020 6:21 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 06/18/2020 10:44 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Arthur Wright	16740	947619	019 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. INS Kathleen Walsh	00000	924832	019 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Arthur Wright	Discourtesy: Police Officer Arthur Wright spoke discourteously to § 87(2)(b)	[REDACTED]

Case Summary

On June 1, 2020, § 87(2)(b) submitted this complaint with IAB. On June 18, 2020, the CCRB received this complaint via log #20-14714.

At approximately 3:30 p.m. on May 30, 2020, § 87(2)(b) and § 87(2)(b) attended a protest for George Floyd in the vicinity of East 82nd Street and Park Avenue in Manhattan. They were amongst a group of about 50 civilians that walked southbound on Park Avenue. Multiple officers, including PO Arthur Wright and Inspector Kathleen Walsh of the 19th Precinct, followed the group down the street. A police barrier stopped the group of civilians proceeding further south and the group was turned around northbound on Park Avenue. § 87(2)(b) stood on the street and PO Wright approached § 87(2)(b) who walked backward toward a street parked vehicle. PO Wright did not give any verbal instruction to § 87(2)(b) as he approached her. PO Wright stood in front of § 87(2)(b) and allegedly told her three times to, “Get on the fucking sidewalk,” (**Allegation A: Discourtesy** – § 87(2)(g)). Inspector Walsh approached PO Wright and they walked away from § 87(2)(b). No summonses or arrests were issued.

One BWC video was obtained by the investigation (Board Review 01).

Findings and Recommendations

Allegation (A) Discourtesy: Police Officer Arthur Wright spoke discourteously to § 87(2)(b).

It is undisputed that on May 30, 2020, there was a protest in the vicinity of East 96th Street and the FDR Drive in Manhattan. Numerous protestors gathered and were instructed to move down the street by officers. PO Wright’s BWC (Board Review 01) captures an arrest of an unknown individual in the middle of the southbound lane of Park Avenue. Inspector Walsh was assisting, and PO Wright stood to the side and did not become involved in the arrest. Officers on bicycles walked northbound on the southbound Park Avenue traffic lane and PO Wright followed behind them. A female individual was being arrested, and PO Wright stood between a group of civilians on the sidewalk and the officers involved in the arrest. Multiple civilians stood on the curb of the sidewalk with their cellphones pointed at the officers. A white female, with brown hair and tattoos on both her arms wearing a light pink shirt and black pants walked up to PO Wright with her phone in hand. It appears that the female individual took a photograph of PO Wright, and said, “Fuck you and suck my dick. I am going to get you fucking fired.” PO Wright raised his right arm and gave a thumbs up gesture. PO Wright did not say anything to the female individual. PO Wright turned around and walked southbound on Park Avenue. The BWC does not capture any interaction with any other female individual. It is unknown to the investigation whether the female in the pink shirt was § 87(2)(b).

A photograph of a still frame of a video taken by § 87(2)(b) and provided to the investigation by § 87(2)(b) (Board Review 08) captures an officer who matched PO Wright’s pedigree information both provided by the NYPD and by § 87(2)(b) and § 87(2)(b) in their statements (Board Reviews 02 and 03). In addition, the helmet worn by the officer in the photograph had a number printed on the side which matched PO Wright’s shield number. § 87(2)(b) had deleted the video prior to being contacted by the CCRB and therefore it was not provided to the investigation.

During her CCRB interview, § 87(2)(b) stated (Board Review 02) that on May 30, 2020, she marched southbound on Park Avenue with her friend, § 87(2)(b). At approximately 3:30 p.m., the protestors were turned around on Park Avenue due to a police barrier on East 82nd Street. § 87(2)(b)

§ 87(2)(b) and § 87(2)(b) turned around and began walking northbound on the Park Avenue southbound traffic lane. The NYPD had speakers which § 87(2)(b) observed an unknown female, who was behind her, drop papers on the ground in the street. § 87(2)(b) turned to assist the female individual and § 87(2)(b) continued walking northbound. PO Wright, who was amongst a group of officers on scene, approached § 87(2)(b). PO Wright had his black, non-expandable baton held vertically in one hand so that it was pointed toward the sky. As § 87(2)(b) stated that PO Wright did not swing the baton nor did she feel threatened by the baton, a threat of force allegation was not pleaded. PO Wright was not accompanied by any other officer. PO Wright walked toward § 87(2)(b) and § 87(2)(b) walked backwards toward the sidewalk. § 87(2)(b) walked backwards until she felt one of the street parked vehicles make contact with her elbows. § 87(2)(b) stopped moving and PO Wright stopped approximately one foot in front of § 87(2)(b). PO Wright told § 87(2)(b) approximately three times, “Get on the fucking sidewalk.” § 87(2)(b) did not move nor did she respond to PO Wright. After approximately 30 second to a minute, Inspector Walsh approached PO Wright. § 87(2)(b) did not know whether Inspector Walsh tapped PO Wright on the shoulder or grabbed his arm, and both PO Wright and Inspector Walsh walked away. § 87(2)(b) walked onto the sidewalk, turned around and observed Inspector Walsh assisting in an arrest and PO Wright standing beside Inspector Walsh. § 87(2)(b) obtained PO Wright’s name and shield number from reading it on his uniform.

During his CCRB interview, § 87(2)(b) confirmed (Board Review 03) that he attended the protest with § 87(2)(b). § 87(2)(b) walked with § 87(2)(b) until reaching the police barrier at East 82nd Street and Park Avenue. § 87(2)(b) turned around and began walking northbound on Park Avenue losing sight of § 87(2)(b). § 87(2)(b) arrived at a building’s steps and turned around to face the street. § 87(2)(b) began recording the officers in the street. At the time of the alleged discourtesy, § 87(2)(b) was not aware of § 87(2)(b)’s whereabouts. § 87(2)(b) stopped recording the protest. § 87(2)(b) eventually found § 87(2)(b) and informed him of the incident. § 87(2)(b) reviewed his video and stated that in the far corner of the frame § 87(2)(b) was observed walking toward the sidewalk while PO Wright followed her. § 87(2)(b) and PO Wright walk between two of the vehicles and they were no longer in frame of the video. § 87(2)(b) was not able to hear any conversation between PO Wright and § 87(2)(b) in the video.

PO Wright stated (Board Review 04) that during the May 30, 2020 protest, he and approximately eight officers from the 19th Precinct were in a police van and began following a civilian group on Park Avenue and East 90th Street in Manhattan. PO Wright and officers provided crowd control assistance to the SRG officers on bicycles. PO Wright was equipped with a shield, riot helmet with his shield number printed on both sides, his duty belt, and a non-expandable baton. They stopped multiple times while following the group of civilians entering and exiting the van. PO Wright was on foot and remained behind the SRG officers during the entirety of the incident. Upon arriving at the police blockade at East 82nd Street and Park Avenue, PO Wright exited the van to approach a group of SRG officers who were effecting an arrest. PO Wright remained behind the SRG officers and did not become involved in the arrest. SRG officers then advanced north on Park Avenue toward the civilian group in the street to disperse the crowd and PO Wright followed behind them. After walking approximately one block north, PO Wright turned around and walked back toward the van. A white female in her early 20’s who was approximately 5’6” to 5’7” tall and of an average build with long brunette hair, approached PO Wright from the sidewalk with a cellphone in her hand and the camera pointed at PO Wright. The investigation did not have a photograph of § 87(2)(b) and therefore it was not confirmed whether the female individual was § 87(2)(b). The female individual told PO Wright that she was going to get him fired. PO Wright did not say anything to the female individual and continued walking toward the van. PO Wright denied that he instructed anyone verbally to get on the sidewalk. PO Wright denied that he said, “Get on the fucking sidewalk,” or used the expletive “fuck” during the incident.

Inspector Walsh stated (Board Review 05) that she attended many protests since May 30, 2020. Inspector Walsh did not have an independent recollection of a protest on May 30, 2020, in the vicinity of East 82nd Street and Park Avenue. Though Inspector Walsh was familiar with PO Wright, she did not recall PO Wright being at the protest on May 30, 2020, or the alleged incident.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 06).
- PO Wright has been a member-of-service for 12 years and has 10 prior CCRB allegation in five cases, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- This incident was not suitable for mediation.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 07).
- As of October 12, 2020, the New York City Office of the Comptroller does not have any record of that a Notice of Claim having been filed regarding this incident (Board Review 09).

Squad No. 15

Investigator: Valentina Concha-Toro Inv. Valentina Concha-Toro November 6, 2020
Signature Print Title & Name Date

Squad Leader: Jessica Peña IM Jessica Peña 11/6/2020
Signature Print Title & Name Date

Reviewer: _____

Signature _____ Print Title & Name _____ Date _____